

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION

TANYA GERSH,

Plaintiff,

vs.

ANDREW ANGLIN,

Defendant,

and

STATE OF MONTANA,

Defendant-Intervenor.

CV 17-50-M-DLC-JCL

ORDER

On March 14, 2019, the Court held oral argument on the following motions:

(1) Plaintiff Tanya Gersh's Motion to Compel Defendant to Respond to Requests for Production and for Sanctions (Doc. 123); Plaintiff's Motion to Enter Protective Order Governing "Confidential" and "Highly Confidential" Information (Doc. 132) and; (3) Defendant Andrew Anglin's Motion to Compel Plaintiff to Respond to Interrogatories and Requests for Production (Doc. 134). Pursuant to the

discussion at the hearing, and consistent with the agreement reached by the parties during their Court-ordered meet and confer session,

IT IS ORDERED that:

(1) With respect to Plaintiff's Motion to Compel (doc. 123), on or before March 29, 2019, the parties file simultaneous briefs, not to exceed ten pages in length, addressing the sole remaining issue not agreed to by the parties, namely, whether disclosing the identity of non-party online anonymous speakers during discovery violates the First Amendment.

It is further ordered that Defendant shall have until March 29, 2019 within which to: (a) provide Plaintiff with a financial statement of his current net worth and (b) conduct the searches agreed to by the parties. Defendant is cautioned that if he fails to provide a current financial statement or to conduct the agreed-upon searches and provide any responsive information by March 29, 2019, the Court will impose sanctions.

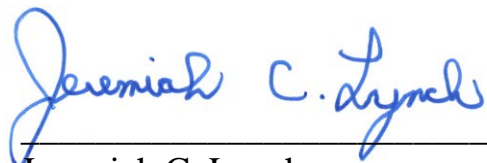
(2) With respect to Plaintiff's Motion to Enter Protective Order (doc. 132), the Plaintiff shall submit a proposed stipulated protective order on or before March 22, 2019.

(3) Defendant's Motion to Compel (doc. 134) is withdrawn except with respect to the documents Plaintiff argues are protected by the clergy privilege. The Court will address this aspect of the Motion to Compel in a separate order.

(4) Plaintiff's request for fees and costs pursuant to Fed R Civ. P. 37 is withdrawn, both as to the pending Motion to Compel (doc. 123) and the previously pending Motion to Compel Defendant to Answer Interrogatories (doc. 112).

(5) On or before March 20, 2019, the parties shall file a joint stipulation setting forth the matters on which they reached an agreement during the Court-ordered meet and confer. The Court will issue a separate order addressing Defendant's Motion for a Protective Order (doc. 142) excusing him from being required to appear for an in-person deposition within the United States.

DATED this 19th day of March, 2019.



Jeremiah C. Lynch
United States Magistrate Judge